

MAR 08 2005

PATENT
Practitioner's Docket No. 414634

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Larry M. Proctor	Art Unit:	1638
Application No.:	09/773,303 - 90/005,892	Examiner:	Amy J. Nelson
Filed:	01/31/2001 - 12/20/2000		

For: FIELD BEAN CULTIVAR NAMED ENOLA

MAIL STOP 16

Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDED REQUEST FOR REFUND UNDER 37 CFR 1.26


Applicant hereby requests refund of a \$295 Extension Fee paid by mistake, and in excess of that required, on June 2, 2004. On June 2, 2004, Applicant submitted a Response to Office Action and an Information Disclosure Statement complete with authorization to charge a \$475 small entity Extension Fee and a \$180 Submission of Information Disclosure Statement Fee [total of \$655] to Deposit Account 12-0600, to Art Unit 1638.

A \$950 Extension Fee has been charged to Deposit Account No. 12-0600 on July 1, 2004. Therefore, Applicant respectfully requests that a refund of \$295 representing the difference between \$655 for fees incurred and the \$950 Extension Fee erroneously charged on July 1, 2004 be credited to Deposit Account No. 12-0600.

Respectfully submitted,

Date: March 8, 2005

By


David J. Lee, Reg. No. 41,935
LATHROP & GAGE L.C.
4845 Pearl East Circle, Suite 300
Boulder, CO 80301
Tel: (720) 931-3000
Fax: (720) 931-3001